

CHAPTER NO. 224

SENATE BILL NO. 664

By Cooper

Substituted for: House Bill No. 1363

By Head, Curtiss, Black, Lynn, Crider, Harry Brooks, Hensley, Vincent, Coleman

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 12, relative to finance and administration.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-1009, is amended by adding the following new subsection thereto:

(c) The commissioner, through the division of real property management, has the authority and responsibility to review periodically the contract terms of leased facilities and to analyze proposed contract terms of leased facilities to determine if, whether for financial or program purposes, it is in the best interest of the state to directly own the facility. If the commissioner determines that direct ownership by the state is in the best interest, such recommendation shall be presented to the Governor. Upon the approval by the Governor for any recommendation that will cost more than one million dollars (\$1,000,000), the commissioner shall present a recommendation to the Fiscal Review Committee. Upon the approval by the Fiscal Review Committee, the commissioner shall present a recommendation to the state funding board, including the analysis supporting the determination as to the best interest of the state, the anticipated cost, the funds currently appropriated for the lease payments, and any available debt authority. Upon approval by the Governor for any recommendation that will cost one million dollars (\$1,000,000) or less, the commissioner shall present a recommendation to the state funding board, including the analysis supporting the determination as to the best interest of the state, the anticipated cost, the funds currently appropriated for the lease payments, and any available debt authority.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions or application of the act which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 15, 2003



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2003



PHIL BREDEBEN, GOVERNOR